

EDO Principal Correspondence Control

FROM: DUE: 03/22/04 EDO CONTROL: G20040138
DOC DT: 02/27/04
FINAL REPLY:

Senator James M. Jeffords
Senator Patrick Leahy

TO:

Chairman Diaz

FOR SIGNATURE OF : ** GRN ** CRC NO: 04-0107

Travers, EDO

DESC:

Proposed Power Uprate at Vermont Yankee

ROUTING:

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Norry
Paperiello
Kane
Collins
Dean
Burns
Miller, RI
Cyr, OGC
Rathbun, OCA

DATE: 03/01/04

ASSIGNED TO: CONTACT:

NRR

Dyer

SPECIAL INSTRUCTIONS OR REMARKS:

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OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

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ACTION OFFICE: EDO

AUTHOR: SEN Patrick Leahy
AFFILIATION: SEN
ADDRESSEE: Nils Diaz
SUBJECT: Proposed power uprate at Vermont Yankee

ACTION: Signature of EDO
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LETTER DATE: 02/27/2004
ACKNOWLEDGED No
SPECIAL HANDLING:

NOTES:
FILE LOCATION: ADAMS

DATE DUE: 03/22/2004 DATE SIGNED:

EDO --G20040138

United States Senate

February 27, 2004

WASHINGTON, DC 20510

The Honorable Nils J. Diaz
Chairman
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

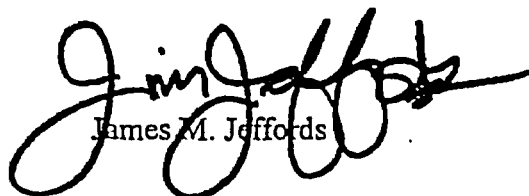
Dear Mr. Chairman:

We write regarding the proposed power uprate at Vermont Yankee. As we have shared with your staff, we have been contacted by Vermonters expressing concern regarding the Nuclear Regulatory Commission's (NRC's) process for evaluating such an uprate and requesting an independent review of the proposal. We write to share these constituent concerns with the NRC and to confirm our understanding of the NRC's newly revised guidance and standards for conducting the review process. We understand that NRC has the discretion, pursuant to regulation, to hold public meetings in Vermont related to Vermont Yankee's uprate application and has indicated a willingness to do so to the Vermont State Nuclear Advisory Panel (VSNAP). We formally request that the NRC do so, and consult with VSNAP in that endeavor.

As we understand it, the NRC requested that Entergy submit additional information related to the Vermont Yankee uprate application in mid-December 2003. We now understand that the Commission now regards the Vermont Yankee application to be complete, and that we should expect the notice of a completed application to be published in the Federal Register shortly. We request that we receive a copy of the Federal Register notice when it is printed.

In addition, we note that Vermont Yankee will be the first power uprate reviewed by the NRC using the new guidance and standards issued in December 2003. This guidance and standards, we understand, incorporate lessons learned and procedures developed from the independent assessment conducted at Maine Yankee. To fulfill these new guidelines we further understand that NRC's assessment of Vermont Yankee's proposed uprate will be reviewed by the Advisory Committee on Reactor Safeguards, a panel that provides independent advice to the Commission. We hope this new change to NRC's uprate procedures will help address our constituents' concerns and we look forward to continued interaction with NRC on this issue.

Sincerely,


James M. Jeffords
Patrick Leahy



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JAMES M. JEFFORDS, VERMONT, Ranking Member

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